



**DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING
ENFORCEMENT DIVISION
*DIRECTIVE***

**DIRECTIVE
NUMBER
232**

**DISTRIBUTION
DATE
October 1, 1998**

1. **SUBJECT: COMPLAINTS MAILED FOR SIGNATURE**
2. **PURPOSE:** To set forth the procedures for determining when it is appropriate to mail a complaint for signature.
3. **BACKGROUND:** Department of Fair Employment and Housing (DFEH) policy has historically required that complaints be signed and filed on the same day that the intake interview occurs. This ensures efficient service to the complainant and respondent, conserves Department resources, and minimizes the likelihood of unnecessary modifications to complaint drafts. There are, however, occasions when it may be necessary to mail a complaint for signature.
4. **PROCEDURES:**
 - A. **Circumstances Appropriate for Mailing a Complaint For Signature:**

Complaints may be mailed for signature in any of the following circumstances:

 - 1) Where the intake interview was conducted by telephone;
 - 2) The complainant is unable to wait in the office while the complaint is being typed. The complainant should only be offered the option of having the complaint mailed for signature when he/she specifically states that he/she cannot wait for the complaint to be typed;
 - 3) Additional information is needed from the complainant before the complaint may be accepted for investigation; or
 - 4) Because unusually high intake volume or unexpected staff absences make it unfeasible to draft, type, and finalize the complaint while the complainant is waiting.

B. Responsibilities of Consultants:

- 1) Draft the complaint and complete the EDP Open Report immediately after conducting the intake interview.
- 2) Obtain the complainant's concurrence that the complaint is accurately drafted and reflects the complainant's allegations.
- 3) Complete any additional intake and service related paperwork (e.g., supplement to service) within 24 hours of the intake interview.

C. Responsibilities of District Administrators:

District Administrators should:

- 1) Ensure that sufficient intake staff (consultants and support staff) is available to meet intake demands.
- 2) Ensure that complaints are being signed and filed on the same day that the intake interview occurs, unless circumstances as outlined above justify mailing a complaint for signature.
- 3) Monitor on a twice monthly basis, the number of complaints mailed for signature.
- 4) Ensure that follow-up letters are sent for complaints that have not been returned after 20 working days, and that complaints are pulled from the "Mail For Signature" pending file in accordance with the procedures outlined in the Enforcement Division's Clerical Case Processing Manual, Intake Chapter.

D. Responsibilities of Regional Administrators:

Regional Administrators will monitor compliance with this Directive during their District Office reviews.

5. APPROVAL:

Nancy C. Gutierrez, Director

Date